

HB 274 – Sponsored by Rep. Ed Greef**Senate Business, Labor, and Economic Affairs****Testimony of Jean D. Johnson, representing Montana Outfitters & Guides Assn.****March 13, 2013**

Good morning, Chairman Sonju and members of Senate Business and Labor. This is an important day for the outfitting industry. We are very grateful for Rep. Greef's willingness to sponsor this bill and to spend so much time with us to gain an understanding of why it's significant.

HB 274 culminates an effort that began in early 2012. It picked up significant support from the interim Committee on Efficiency in Government last May when MOGA appeared before the committee. Several members of that committee recommended the industry seek legislative remedy.

HB 274 has three parts – Repeal, Revise, and Reduce. I'll speak briefly about the Repeal portion. The outfitter sponsored license was passed by the 1995 Legislature and in the ensuing years, it picked up layer after layer of statute and Administrative Rule. With the elimination of the OSL in 2010, several of those layers of statute were no longer applicable. Rep. Welborn carried a bill in the last session (HB 458) to begin the repeal of regulations associated with the OSL. HB 274 continues that process, but repeal is only a small part of the bill.

Section 1 repeals two definitions – "base of operations" and "camp" that were imposed in the 1999 Session and that are no longer applicable. Section 1 also redefines net client hunter use to reflect changes in Administrative Rule regarding client logs. It also defines lands where NCHU is required. You may wonder why we still have NCHU when we no longer have the outfitter sponsored license. Very simply, NCHU represents an asset that outfitters were forced to own or purchase in order to serve clients. Although they technically no longer are regulated by NCHU, until the industry decides just what to do with it, it'll stay on the books in this limited fashion.

Fourteen sections are necessary to repeal "professional guide" – a classification that was tacked onto a bill in the 1995 session that has been used by three individuals in 18 years.

Section 2 (4)(d) deletes the requirement for outfitters to report leased acreage. This is the section that has caused unrest with sportsmen, largely because it appears that we're trying to eliminate reporting where we operate. The fact is this section was enacted in the 1999 Session and formed

the basis of information used by the "review committee" and the Board of Outfitter subcommittee to determine whether proposed expansions of net client hunter use should be approved or denied. (SB 334, Sen. K. Mesaros). Expansions and the subcommittee were eliminated in the last session.

The repealer in Section 19 eliminates the requirement for outfitters to pay an annual fee of \$2 per each client served, which was also enacted in SB 334. This fee was split between the Board of Outfitters and FWP and used to fund administrative costs associated with the OSL and NCHU expansion requests. It's commonly thought that this fee funded the production of a map showing outfitters' leases. Others will talk about the map, but it's important to note that outfitters are still required to report lands or waters on which they operate. (page 6, lines 19-20)

Section 6 deletes the requirement for an outfitter to state the maximum number of participants to be accompanied at any one time – another regulation associated with the outfitter sponsored license.

Section 19 also repeals the requirement to transfer NCHU upon transfer of operations plans, which required a Board audit and takes countless hours of administrative staff time – none of which reflected the Board's core mission.

Mr. Chairman, members of the committee, I've been a part of the industry's history since 1991. I believe this bill and HB 187 represents a new day for outfitters, a new opportunity to focus on the business model and the fact that these are truly important businesses for Montana's economy. Please support HB 274 with the amendments that Rep. Greef has presented. Thank you.

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